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Attorneys for Plaintiff  
 ASHLEY WILSON

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

ASHLEY WILSON, as an individual and on	)	Case No.: C09-03630 SI
behalf of all others similarly situated,	)	
	)	<b>STIPULATION AND [PROPOSED]</b>
Plaintiff,	)	<b>ORDER TO CONTINUE CASE</b>
	)	<b>MANAGEMENT CONFERENCE</b>
v.	)	
	)	Date: December 9, 2010
KIEWIT PACIFIC CO., a corporation;	)	Time: 3:00 p.m.
	)	Dept: 10, 19th Floor
Defendant.	)	Judge: Hon. Susan Illston

Pursuant to Civil Local Rules 7-12 and 16-2, it is hereby stipulated, by and between  
 ASHLEY WILSON ("Plaintiff") and KIEWIT PACIFIC CO. ("Defendant") (collectively the  
 "Parties"), through their respective undersigned counsel, as follows:

WHEREAS, a Case Management Conference in the above-captioned case is currently  
 scheduled for December 9, 2010;

1 WHEREAS, Plaintiff's Motion for Class Certification was heard on October 1, 2010, and  
2 as of the date of the filing of this Stipulation, no order has been issued thereon;

3 WHEREAS, in an effort to conserve judicial resources, the Parties seek a brief  
4 continuance of the Case Management Conference until after the Court has issued its Order on  
5 Plaintiff's Motion for Class Certification, so that the Parties can advise the Court on the relevant  
6 issues resulting from the Court's ruling at the Case Management Conference;

7 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff and Defendant,  
8 through their respective undersigned counsel, that the Case Management Conference, currently  
9 scheduled for December 9, 2010, shall be continued for 35 days.

10 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff and Defendant,  
11 through their respective undersigned counsel, that the Parties will file a Joint Case Management  
12 Conference Statement no later than seven days prior to the new date set for the Case  
13 Management Conference.

14 IT IS SO STIPULATED.

15  
16 DATED: December 2, 2010

SEYFARTH SHAW LLP

17  
18 By:   
19 Francis J. Ortman III  
Ari Hersher

20 Attorneys for Defendant  
21 KIEWIT PACIFIC CO.

22 DATED: December 2, 2010

LAW OFFICES OF PETER M. HART

23  
24 By:   
25 Peter M. Hart

26 Attorneys for Plaintiff  
27 ASHLEY WILSON  
28

1 **[PROPOSED] ORDER CONTINUING THE CASE MANAGEMENT CONFERENCE**

2 The parties having so stipulated, and GOOD CAUSE APPEARING  
3 THEREFORE, IT IS HEREBY ORDERED that:

4 The Case Management Conference is continued for 30 days, or as soon thereafter  
5 as a court date is available.

6  
7 PURSUANT TO STIPULATION, IT IS SO ORDERED.

8  
9  
10 Date: \_\_\_\_\_



The Honorable Susan Illston  
Judge of the United States District Court

11  
12  
13 The case management conference is set to begin 1/21/11 @ 3 p.m.